

Remarks

The various parts of the Office Action (and other matters, if any) are discussed below under appropriate headings.

Specification

An abstract on a separate sheet is attached, as requested by the Examiner.

Headings have been inserted into the specification, as requested by the Examiner. In addition, the heading at the beginning of the claims has been replaced by a customary preamble.

Claim Amendments

The claims have been amended to improve the form thereof, and to remove certain features therefrom. None of the changes were made in response to a rejection relating to the patentability of the claims, as the claims as previously presented defined patentably over the prior art applied by the Examiner, as will become apparent from the following discussion. In addition, several new claims have been presented for favorable examination.

Claim Rejections - 35 USC § 103

Claims 1-13 and 15-20 have been rejected as being unpatentable over Murphy et al. (US 6,125,164) in view of Sturm et al. (US 5,315,630). Withdrawal of this rejection is respectfully requested for at least the following reason.

Claim 1 recites a method for accurately positioning a patient for radiotherapy and/or radiosurgery, wherein at least two x-ray images of the patient and/or one of the parts of his body in the vicinity of the radiation target point are produced from different respective recording angles on a single image recorder. In contrast, Murphy et al. use two image recorders as can be seen in Figure 3 of the '164 patent. Moreover, there is lacking any suggestion or motivation to use a single image recorder to acquire at least

two x-ray images at different respective angles as set forth in claim 1, nor has any such suggestion or motivation been found in Sturm et al. '630.

The above comments are equally applicable to claim 15 wherein the device comprises only one image recorder with which the x-ray images of both x-ray sources are produced.

Allowable Subject Matter

The indicated allowability of claim 14 is noted with appreciation. Rewriting of the claim is being deferred pending further consideration of the claims from which claim 14 depends.

Conclusion

In view of the foregoing, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

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By

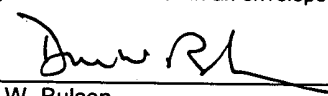

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CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper or thing referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 11-24-03


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